

IN THE SPECIFICATION:

Please substitute the enclosed specification for the present specification pursuant to 37 C.F.R. § 1.125(b). The substitute specification contains no new matter. A marked-up copy of the substitute specification, showing the matter being added and deleted is also enclosed.

RESPONSE UNDER 37 C.F.R. 1.135

The undersigned is advised that a begonia plant named 'Kristy Franje' was sold in The Netherlands on November 1, 1999. A copy of The Netherlands Certificate of Registration No. BGN 0251 is not yet available but will be forthcoming.

REMARKS

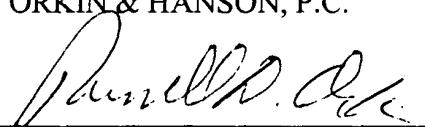
The application has been amended to address each of the items A-R in the Office Action. A new Declaration and Power of Attorney will be submitted shortly which states that the new variety was discovered in a cultivated area. Replacement photographic illustrations of the best available quality are also submitted herewith.

Having complied with all the requirements in the Office Action, favorable consideration of the claim is requested.

Respectfully submitted,

WEBB ZIESENHEIM LOGSDON  
ORKIN & HANSON, P.C.

By \_\_\_\_\_

  
Russell D. Orkin  
Registration No. 25,363  
Attorney for Applicant  
436 Seventh Avenue  
700 Koppers Building  
Pittsburgh, PA 15219-1818  
Telephone: (412) 471-8815  
Facsimile: (412) 471-4094  
E-mail: webblaw@webblaw.com

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PATENT & TRADEMARK OFFICE

#3

BEGONIA PLANT NAMED 'KRISTY FRANJE'

**BOTANICAL CLASSIFICATION**

Begonia xhiemalis

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**VARIETAL DENOMINATION**

'Kristy Franje'

**BACKGROUND OF THE INVENTION**

The present invention comprises a new and distinct cultivar of Elatior Begonia, botanically known as *Begonia xhiemalis* and known by the varietal name 'Kristy Franje'. The new cultivar was discovered in a controlled environment in Amstelveen, Netherlands, in 1998 as a mutation of 'Netja Franje' (unpatented). The new cultivar was observed as a single plant in a group of plants of the parent cultivar. The selection of this plant was based on its unique flower color. The new cultivar differs from its parent as follows:

	Netje Franje	Kristy Franje
Outer tepal, middle upper side	Red Group 48D	Red Group 49C
Outer tepal, margin upper side	Red Group 39D	Orange Group 29D
Outer tepal, middle lower side	Orange-White Group 159D	Red Group 36D
Inner tepal, margin upper side	Red Group 52C	Red Group 49C
Inner tepal, margin lower side	Red Group 52D	Red Group 48D

The new variety was first asexually reproduced by cuttings in February of 1998 in Aalsmeer, The Netherlands. The new variety has been trial and field tested and has been found to retain its distinctive characteristics and remain true to type through successive propagations.

**DESCRIPTION OF THE DRAWING**

The accompanying photographic drawing illustrates the new variety, with the color being as nearly true as is possible with color illustrations of this type.

**DESCRIPTION OF THE PLANT**

The following detailed description sets forth the characteristics of the new cultivar. The data which defines these characteristics were collected by asexual reproductions by cuttings grown to 12 weeks in a 13 cm diameter pot in a controlled

greenhouse environment. Color references are primarily to the R.H.S. Colour Chart of The Royal Horticultural Society of London.

## PLANT

### [Classification:

Botanical: *Begonia xhiemalis.*

Commercial: Elatior Begonia.]

Form: Upright.

Height: [At least about 40 cm tall from] From top of media surface 18-20 cm to top of leaves and 22-24 cm to top of flowers, 30 cm wide in a 15 cm container 10 weeks after planting, with pinching.

Growth: Moderate growth rate.

Time to initiate roots: About 14 days from a terminal cutting when grown in a glass greenhouse.

Time to develop roots: About 18 days at 22°C.

Rooting [habit] description: Fine roots.

### Lateral branches:

Appearance/aspect: Cylindrical; upright to somewhat outwardly angled.

Strength: Very good.

Length: About 19 cm.

Diameter: About 1 cm.

Internode length: About 3.8 cm.

Texture: Mostly smooth with sparse small white hairs; fleshy.

Color: Yellow-Green Group 144B.

### Leaves:

Arrangement: Alternate.

Shape: Rounded with acute apex and cordate base with overlap.

Shape: 14 cm wide; 15 cm long.

Quantity: About 7 per lateral branch.

Stipules: 2 per leaf sized 5 mm x 5 mm.

Margin: Bi-crenate.

Texture: Smooth; shiny and leathery.

Color:

Upper surface: Green Group 136A.

Lower surface: Green Group 137A.

Venation: Palmate, [light green] Green Group 139A on upper surface and  
Green Group 138B on lower surface.

Petiole: 4.5 cm long; 5 mm in diameter; Yellow-Green Group 144B.

Stipules:

Shape: Asymetrically pointed with acute apex and straight base.

Margin: Entire.

Color: Yellow-Green Group 144B on upper surface and lower  
surfaces.

## FLOWERS

Habit: Continuous flowering; compound raceme.

[Size: 4 cm in diameter; 1 cm deep.]

Cyme: 10 cm diameter with 7 cm diameter flowers; 7 flowers per cyme and  
35 flower per plant; flat to cup-shaped.

Tepals:

Arrangement: Double; 14-20 tepals per flower.

Size of largest tepal: 2 cm long; 3 cm wide.

Shape: Oval with rounded obovate apex and obtuse base.

Margin: Crenate.

Color:

Upper surface:

Outer petals:

Margin upper side: Orange Group 29D.

Middle upper side: Red Group 49C.

Inner petals:

Margin upper side: Red Group 49C.

Middle upper side: Red Group 48D.

Lower surface: Red Group 36D [to] on middle of outer  
tepal and Red Group [49C] 48D on  
middle of inner tepal.

Fragrance: None.

Flower buds: About 1.8 cm long (in autumn); about 1.3 cm wide; oval; Red Group 36D.

Peduncles:

Angle: Mostly erect.  
Strength: Strong but flexible.  
Length: About 3.5-4 cm.  
Color: Yellow-Green Group 146B.

Pedicels:

Angle: About 30 to 45° from vertical.  
Strength: Strong but flexible.  
Length: About 1 cm.  
Color: Yellow-Green Group 146B.

Bracts:

Arrangement: Two; opposite.  
Shape: Very broadly cordate; acute apex.  
Margin: Entire.  
Color: [Light green] Yellow-Green Group 144B on upper and lower surfaces.

Postproduction longevity:

Flowers: 3-4 weeks on the plant.  
Plant: 7-8 weeks.

## REPRODUCTIVE ORGANS

Stamens: None observed.

Pistils: None observed.

Disease resistance: Mildew tolerant.

Seed production: Seed production has not been observed as reproductive organs are not formed.